

**IN THE UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF WEST VIRGINIA
AT CHARLESTON**

AMBER D. HALL,

Plaintiff,

v.

**GESTAMP WEST VIRGINIA, LLC,
BARRY HOLSTEIN, KENNETH
SUPRENANT & SCOTT HUGHES,**

Defendants.

Civil Action No.: 2:20-cv-00146

JOINT MOTION TO STAY DEADLINES AND CONTINUE TRIAL

COME NOW the parties in the above-referenced case, Plaintiff Amber D. Hall (“Plaintiff” or “Hall”) and Defendants Gestamp West Virginia, LLC (“Gestamp”), Kenneth Suprenant (“Suprenant”), and Scott Hughes (“Hughes”) (collectively “Defendants”), and move this Court to stay pending deadlines and continue the trial date of February 23, 2021, to be rescheduled on a date after May 17, 2021, or alternatively after General Order #10 of the Southern District of West Virginia is removed and jury trials are permitted to occur. In support of this Motion, the parties state as follows:

1. On September 8, 2020, this Court entered a Scheduling Order, setting jury trial for February 23, 2021, and setting the following remaining deadlines:

- January 11, 2021: Proposed Pretrial Order to Defendant
- January 14, 2021: Motion in Limine
- January 19, 2021: Integrated Pretrial Order
- January 21, 2021: Responses for Motions in Limine
- January 29, 2021: Pretrial Conference
- February 18, 2021: Proposed Jury Charge
- February 22, 2021: Final Settlement Conference

2. The Defendant's Motion for Summary Judgment and Defendant's Corrected Motion to Strike remain pending before this Court.

3. On December 4, 2020, this Court entered General Order #10, regarding Court Operations in Light of the Exigent Circumstances Presented by the COVID-19 Pandemic, which ordered that "all civil and criminal petit jury selections and trials scheduled to commence before any district or magistrate judge in the Southern District of West Virginia are CONTINUED until further notice of the Court."

5. If trial is set to commence on February 23, 2021, counsel for the parties will need to immediately begin preparing for trial and expending substantial time and resources preparing for the upcoming deadlines and trial, due to the voluminous nature of discovery in this case.

6. COVID-19 cases and hospitalizations in West Virginia have continued to increase significantly since the December 4 Order and there is no indication that numbers will improve prior to February 23, 2021. *See* West Virginia Department of Health & Human Resources, <https://dhhr.wv.gov/COVID-19/Pages/default.aspx>.

7. To avoid expending the significant time and resources to prepare for a trial for which there is a significant likelihood it will not occur on February 23, 2021, slightly more than six weeks away, the parties move that the trial be continued and that all pending deadlines be continued and the trial date reset for May 17, 2021, or sometime thereafter, when the COVID-19 circumstances should have improved and jury trials should be able to be conducted. Alternatively, the parties request that all pending deadlines be stayed until the lifting of General Order #10 and the resumption of civil jury trials, at which time the trial date and pending deadlines can be rescheduled. Otherwise, the parties may have to prepare for the jury trial in this case two times, which would cause unnecessary time expenditure and great expense to the parties.

WHEREFORE, the parties respectfully request that this Court stay pending deadlines and continue the trial date of February 23, 2021, to be rescheduled on a date after May 17, 2021, or alternatively after General Order #10 of the Southern District of West Virginia is removed and jury trials are permitted to occur.

AMBER D. HALL,
By Counsel.

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/s/ **Raj A. Shah** 01/07/2021
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CERTIFICATE OF SERVICE

I, Raj A. Shah, do hereby certify that on the 7th day of January, 2021, I have served a true and exact copy of the foregoing **“JOINT MOTION TO STAY DEADLINES AND CONTINUE TRIAL”** using the Court’s CM/ECF system, which will electronically deliver a true copy thereof upon counsel of record listed below:

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/s/ **Raj A. Shah** 01/07/2021

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